



Matthew Drange
Journalist
Center for Investigative Reporting

March 24, 2014

FOIA REQUEST
Fee benefit requested
Fee waiver requested

Dear FOIA Officer,

Pursuant to my rights under the federal Freedom of Information Act, 5 U.S.C. § 552, I ask to inspect and obtain a copy of the following, which I understand to be held by your region of the federal Environmental Protection Agency:

Any and all CERCLA Off-site notices, including but not limited to Notices of Unacceptability, Finding of acceptability letters and any other associated documents or communication, filed from January 1 2004 to present.

To the extent responsive documents are available at different times, please provide copies as they become available.

I would like these documents in electronic form, preferably as .pdf files via email or CD.

If you determine that any or all of the information qualifies for an exemption from disclosure, I ask you to note whether, as is normally the case under the Act, the exemption is discretionary, and if so whether it is necessary in this case to exercise your discretion to withhold the information.

If you determine that some but not all of the information is exempt from disclosure and that you intend to withhold it, I ask that you redact it for the time being and make the rest available as requested.

In any event, please provide a signed notification citing the legal authorities on which you rely if you determine that any or all of the information is exempt and will not be disclosed.

I ask that you notify me of any duplication costs exceeding \$100 before you duplicate the records so that I may decide which records I want copied.

As a representative of the news media I am only required to pay for the direct cost of duplication after the first 100 pages. Through this request, I am gathering information on the Toxic Trail of hazardous waste that leads from Superfund sites all around the country. The issue was first reported here by The Guardian US: <http://www.theguardian.com/environment/ng-interactive/2014/mar/-sp-toxic-waste->



silicon-valley-trail that is of current interest to the public because of the potential for hazardous chemical and waste exposure to communities at and around the tens of thousands of treatment plants that treat Superfund waste daily. This information is being sought on behalf of Center for Investigative Reporting for dissemination to the general public.

Please waive any applicable fees. Release of the information is in the public interest because it will contribute significantly to public understanding of government operations and activities. This information is vital to the public. The public has a right to know if the facility in their neighborhood has been or is suspected of violating the EPA's most serious environmental protection laws, including but not limited to the Clean Air Act, the Clean Water Act and various RCRA violations.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. I will also expect you to release all segregable portions of otherwise exempt material. I, of course, reserve the right to appeal your decision to withhold any information or to deny a waiver of fees.

As I am making this request as a journalist and this information is of timely value, I would appreciate your communicating with me by telephone, rather than by mail, if you have questions regarding this request.

If I can provide any clarification that will help expedite your attention to my request, please contact me at 510-982-2876 or mdrange@cironline.org.

Please provide expedited processing of this request, which concerns a matter of urgency. As a Journalist for not for profit news organization, I am primarily engaged in disseminating information for the benefit of public understanding and well being. The public has an urgent need for information about Superfund waste disposal because of the damning report in The Guardian that found that facilities that have a documented history of egregious environmental violations continue to accept, treat and dispose of CERCLA waste. There continues to be active lobbying on behalf of the waste disposal industry to quash this type of disclosure, but it remains in the public's best interest to publish the information on a regular basis. I certify that my statements concerning the need for expedited processing are true and correct to the best of my knowledge and belief.

I look forward to your reply within 20 business days, as the statute requires, and an even prompter reply if you can make that determination without having to review the records in question.

Thank you for your time and attention to this matter.

Sincerely,

Matthew Drange